

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : **PATEL, Jayantilal D.**  
SERIAL NO : 10/036,702  
FILED : December 31, 2001  
TITLE : CANOLA CULTIVAR 45A55

Grp./A.U. : 1638  
Examiner : **KUBELIK, Anne R.**  
Conf. No. : 4988  
Docket No. : P05805US0 – PHI 1477

**AMENDMENT**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

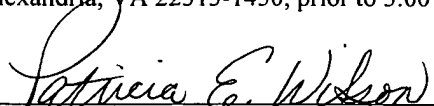
Dear Madam:

In response to the communication from the Examiner dated September 2, 2004, a Final Rejection, it is respectfully requested that the following preliminary amendment with the Request for Continued Examination (RCE) be entered and made of record. It is believed that the following amendments and remarks place the application in form for allowance, or at least, place the claims in a better form for Appeal. No new matter is presented, as such the Amendment is proper under 37 C.F.R. §1.116. Applicant respectfully requests reconsideration.

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**CERTIFICATE OF MAILING BY EXPRESS MAIL**

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Box RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, prior to 5:00 p.m. on the 2nd day of December, 2004.

  
PATRICIA E. WILSON  
Express Mail Label # EV 515454284 US

**Introductory Comments**

Claims 1-2 and 43-64 are pending in the present application.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.